

DIANA L. WEISS (SBN 121150)
 Attorney At Law
 1563 Solano Avenue Suite 223
 Berkeley, CA 94707
 dianaweiss@sbcglobal.net
 Telephone: (510) 847-1012
 Facsimile: (510) 525-1321

Attorney for Defendant
 RANDALL CLARY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA)	Case No: CR10-0668RS
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE SENTENCING
Vs.)	HEARING TO
)	DECEMBER 13, 2011
RANDALL CLARY)	
)	
Defendant)	
)	

On September 30, 2011, defendant Clary's Motion to Relieve Defense Counsel was heard before the Hon. Magistrate Corley. The Court granted defendant's Motion to Relieve Mr. Babcock as his attorney and appointed Diana L. Weiss, to represent him. The court then denied Mr. Clary's motion to represent himself.

Defense counsel requires additional time to prepare the case including time to review the file and Mr. Clary's voluminous mental health records, and to determine if there are objections to the Presentence Report that has been prepared.

The parties therefore stipulate that the sentencing hearing set for October 18, 2011 be vacated and that the matter be reset for December 13, 2011 at 2:30 p.m.

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1 SO STIPULATED.

2 Dated: October 6, 2011

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5 /S/
KEVIN BARRY
Assistant United States Attorney
6 Counsel for United States

/S/
DIANA L. WEISS
Attorney for Defendant
RANDALL CLARY

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SO ORDERED.

10 DATED: 10-11-11

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HONORABLE RICHARD SEEBORG
United States District Judge

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